

**PLANNING COMMISSION
CITY OF ST. GEORGE
WASHINGTON COUNTY, UTAH
November 18, 2014 – 5:00 PM**

MINUTES APPROVED
By: RO WILKINSON
Seconded: DON BUEHNER
Date: FEB 24, 2015

PRESENT:

Chair Ross Taylor
Commissioner Ro Wilkinson
Commissioner Don Buehner
Commissioner Nathan Fisher
Commissioner Diane Adams
Council Member Joe Bowcutt

CITY STAFF:

Assistant Director of Public Works Wes Jenkins
Community Development Coordinator Bob Nicholson
Planner II Ray Snyder
City Surveyor Todd Jacobsen
Assistant City Attorney Victoria Hales
Planning Associate Genna Singh

EXCUSED:

Commissioner Julie Hullinger
Commissioner Todd Staheli
Planning Manager John Willis

FLAG SALUTE

Chairman Ross Taylor called the meeting to order at 5:00 pm and asked Commissioner Diane Adams to lead the flag salute.

1. FINAL PLATS AMENDED (FPA)

- A. Consider approval of an amended condominium residential subdivision for “**Pelican Hills Condominiums Phase 2 Amended.**” The representative is Mr. Brandon Anderson, Rosenberg Associates. The property is zoned PD-R (Planned Development Residential) and is located at 810 South Dixie Drive. Case No. 2014-FPA-061. (Staff – Todd J.).

Todd Jacobsen stated that the purpose of this Amended Final Plat is to convert some of the limited common area into private ownership for units 1326, 1327, 1426, and 1427. The highlighted areas were limited common and will now be private ownership. They have enclosed their patios.

Commissioner Nathan Fisher asked if the City reviews a subdivision’s CCR’s or does the City make the association figure it out.

Assistant City Attorney Victoria Hales responded that usually they come in with a letter. I’m not sure if they have or not on this one, but I have reviewed this amendment and don’t have a comment on it.

- B. Consider approval of an amended residential subdivision final plat for **"Serenity Hills 2nd Amendment."** The representative is Mr. Bob Hermandson, Bush and Gudgell. The property is zoned R-1-10 (Single Family Residential 10,000 sq. ft. minimum lot size) and is located at the northwest corner of the intersection at 2780 East Street and 2000 South Street. Case No. 2014-FPA-070. (Staff – Todd J.).

Todd Jacobsen explained that Lot 12 was reserved as a retention basin before any improvements were installed. The school has improved the area so the water that used to go to Lot 12 drains down the road. We can remove the Public Utilities and Drainage Easement over the entirety of Lot 12 except for the standard 10 Foot wide and 7.50 Foot wide Public Utilities and Drainage Easement along street sides and side and rear lot lines respectively.

Commissioner Nathan Fisher asked if they can now build on that lot.
Todd Jacobsen said that is correct.

- C. Consider approval of an amended residential subdivision final plat for **"Temple Shadows Townhomes Phase II Amended."** The representative is Mr. Reid Pope, L.R. Pope Engineering. The property is PD-R (Planned Development Residential) and is located at 380 South 100 east. Case No. 2014-FPA-071. (Staff – Todd J.).

Todd Jacobsen stated that the highlighted yellow area was a 10' common area between lot 1 and 2. Lot 1 will now have that 10' and the lots will now touch.

Chair Ross Taylor noted that this is similar to the first item so it's an HOA issue.
Todd Jacobsen agreed it is an HOA area. We have consent signatures from the HOA and owners.
Commissioner Diane Adams asked if they are improving something there.
Todd Jacobsen said they are adding onto the garage that is there.
Councilman Joe Bowcutt asked if there is a required easement there.
Todd Jacobsen responded that no easement is required.

Commissioner Diane Adams asked if legal has reviewed the final plat amendments.
Assistant City Attorney Victoria Hales stated that she has reviewed all the items on tonight's agenda.

MOTION: Commissioner Ro Wilkinson made a motion to approve Items 1A, 1B, and 1C based on staff comments.

SECONDED: Commissioner Nathan Fisher seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

NAYS(0)

Motion carries.

2. **GENERAL PLAN AMENDMENT (GPA)**

Consider a **General Plan Amendment** from RES (Residential), COM (Commercial), and OS (Open Space) to BP (Business Park) on 93 acres and to OS (Open Space) on 17 acres. This is for the southerly extension of the Ft Pierce Business Park. The proposed extension is generally located along the west side of River Road and south of Enterprise Road. The applicant is SITLA (State Institutional Trust Lands) with Kyle Paisley representing. Case No. 2014-GPA-005. (Staff – Bob N.).

Bob Nicholson presented the following:

The Planning Commission is responsible for reviewing all requests to amend the general plan and makes a recommendation to City Council. We've advertised this as a public hearing and have sent letters to owners within 500' of the proposed change.

This is located near the existing YESCO and the Family Dollar Distribution. The area is zoned R-1-10 which is a holding zone when property is annexed into the City. The blue is M-1 and the green is Open Space. The current general plan shows that on the east side of River Road is M-1 and west of River Road is the Southblock. The Southblock area is what is changing. They want 93 acres of business park and 17 acres of open space. Business Park is a kinder and gentler industrial area that would be compatible with residential development to the west. The uses would be limited there to transition from industrial, to light industrial, to residential.

The 'Business Park' land use designation is intended to allow for light industrial and business uses which will be more compatible to adjacent residential areas than a broad range of possible 'Industrial' uses, which could have negative impacts such as noise, odors, etc. When zoning is applied to this property, care must be taken that only uses are compatible with nearby residential areas are allowed, and not heavier industrial uses which could have negative impacts to the future residential areas. The City could either create a new 'Business Park Zone' with uses compatible with nearby residential areas, or apply a Planned Development Manufacturing zone with a list of uses deemed compatible for the area.

Commissioner Nathan Fisher asked if 'business park' zoning is in the code.

Bob Nicholson responded that we would have to come up with a new zone. We have M-1 and M-2 but not Business Park.

Chair Ross asked if the general plan amendment is for a zone we don't have.

Bob Nicholson responded that right now this is just the general plan. We are changing the general plan to business park designation. The zoning request will come in the next few months. This is supposed to be something a little more friendly to the adjacent residential. There is a PD Manufacturing zone they can use where the applicant could submit a list of uses or staff could come forward with a new zone designation.

Chair Ross Taylor asked if Business Park exists in the general plan.

Bob Nicholson responded that it does, we just don't have the correlation from the General Plan to the Zoning Map.

Bob Nicholson showed pictures of the proposed general plan amendment

Chair Ross Taylor asked if this is near the protected bear paw poppy area.

Bob Nicholson responded that there are endangered plants down there but they are not in this area.

Chair Ross Taylor asked if we are protected there.

Bob Nicholson said yes, the endangered plant area has been purchased by the reserve. The plan for the zone change later would be to square up the zoning on both sides of River Road. We expect that the applicant will come back in the next few months for the zoning.

Councilman Joe Bowcutt asked if there is a feeling that the commercial area designated previously on the general plan is no longer needed. Would the BP allow for commercial there?

Bob Nicholson responded that the BP is a bit vague in our general plan but it would allow offices and light industrial. It could include some commercial.

Councilman Joe Bowcutt clarified that the BP would allow commercial there as well.

Bob replied yes it could.

Commissioner Diane Adams asked if this can go back to full industrial use.

Assistant City Attorney Victoria Hales said that would require another general plan amendment.

Chair Ross Taylor opened the item to the public.

Chair Ross Taylor closed the public hearing.

MOTION: Commissioner Don Buehner made a motion to recommend to accept this general plan amendment to change from residential, commercial, and open space to business park on 93 acres and 17 acres of open space for the southerly extension of the Fort Pierce Business Park based on recommendations from staff and common sense that it looks like a good plan.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

NAYS(0)

Motion carries.

3. **CONDITIONAL USE PERMIT**

Consider a request for a Conditional Use Permit to construct a **detached residential garage** with a maximum ridge height of approximately twenty-four feet (24') to accommodate an RV. The structure will be 3,000 sq. ft. (50 ft. x 60 ft.) The property is located at 464 West Del Mar Drive and is zoned RE-37.5 (Residential Estate 37,500 sq. ft. minimum lot size). The representative is Mr. Tim Kenny, New Trend Construction. Case No. 2014-CUP-021 (Staff – John W.)

Ray Snyder presented the item in lieu of John Willis.

Ray Snyder presented the following:

This lot is behind Bloomington Elementary.

- 1 - The proposed structure will be located in the rear yard approximately forty-seven feet (47') from the main dwelling and ten feet (10') from the side and rear property lines.
- 2 - The detached garage is to be used for the storage of an RV and will also include a workshop with a bathroom.
- 3 - The proposed height of 26' feet is to accommodate the RV.
- 4 - RE-37.5 does not limit an accessory structure to twenty-five (25%) of the rear yard, nevertheless, the garage does not exceed twenty-five (25%) of the rear yard.
- 5 - The proposed structure will not encroach onto any City easements.
- 6 - The detached garage will have a stucco finish and a tile roof.
- 7 - Staff recommends approval.

The findings are listed. Applicable items are D, G and J.

Councilman Joe Bowcutt asked if a block wall would be placed on the north side of the property where the school is.

Tim Kenny (representative) responded that there is an existing chain link fence but he does plan a block wall across the back.

Commissioner Diane Adams asked how tall the house is.

Tim Kenny stated the house is 20' tall because they have a basement.

Commissioner Ro Wilkinson asked if the neighbors were notified.

Tim Kenny responded that the letters were sent out.

Commissioner Diane Adams stated that the neighbor at 504 W appears to have a very tall barn and it appears the lots step down.

Tim Kenny said this lot is level compared to some in the area. The drainage will go toward the back corner.

Commissioner Nathan Fisher asked if there are detached garages on both sides of you.

Tim Kenny answered there are.

Commissioner Nathan Fisher asked if the stucco and tile will be the same as the house.

Tim Kenny responded that if you look down the driveway there will also be rock accents and such similar to the house.

MOTION: Commissioner Nathan Fisher made a motion to recommend approval of the CUP item 3 and as per the findings, I see them as mitigated so long as the garage has the similar stucco and tile as the house and that it is limited to 26' as it sounds similar to other detached structures in the area as well as adopting staff comments.

Assistant City Attorney Victoria Hales asked for clarified noting that the agenda states 24' and the staff report states 26' in regards to height.

Tim Kenny responded that the request is for 26'.

Motion stands.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

NAYS(0)

Motion carries.

4. **TRAINING**

Training and discussion to cover Title 10 Chapter 8 “Planned Development Zone.”

Ray Snyder presented training on the Planned Development (PD) Zone – residential section

Commissioner Nathan Fisher asked when would staff steer an applicant towards a PD zone?

Ray Snyder responded that typically they come up in our Planning Staff Review meetings. We prefer PD zones when we want to tie down a property to a specific use.

Bob Nicholson added that in a C-3 zone it allows for a broad spectrum of commercial uses so when you’re trying to put something next to a residential zone it’s better to see the site plan, elevations, and use list. If zoned as C-2 or C-3 they’re allowed all the uses stated in ordinance. It’s better for the neighbors to have something more compatible.

Commissioner Don Buehner asked what happens when a plan falls through that was proposed as a PD. Bob Nicholson stated that the next user can come back and ask to amend the PD which is effectively a zone change. A zone change is a legislative action so if you have a reasonable reason to change it you’re pretty well protected.

Ray Snyder continued to read through code and explain staff processes

Councilman Joe Bowcutt noted that we’re having problems with people cutting down trees on our main arterials. Does this apply to make them leave it as originally planned?

Ray Snyder said the City has a street tree ordinance.

Assistant City Attorney Victoria Hales said the street trees may not necessarily apply but there are landscape requirements within the PD.

Ray Snyder said there is a new business going in on Bluff and the trees are gone and we were asked why they were taken out. Parks gave them permission. However, there is another business that cut down their trees without permission and now the City is pushing to get those trees back.

Assistant City Attorney Victoria Hales added that there are two different ordinances that complement each other.

Commissioner Nathan Fisher asked if a landscape plan is part of a PD approval, can we or do we enforce that approved plan?

Assistant City Attorney Victoria Hales replied that we do enforce it and it is a code violation. We try to get people to comply without having to have hearings and fees. It is a constant struggle because a business owner wants their business to be seen.

Ray Snyder added that the City has a shade tree board who watches for these things. When a business comes in with their graphic and rendering we need to specify the size of the box that is planted.

Chair Ross Taylor noted that Item K (lighting plan) says location is needed but it doesn't address the lumens.

Ray Snyder responded that we get Site Plan Review applications and such to review plans. We don't always ask for the photometric but we should. We ask to see the foot candles and such and in the past have gone out in the field to verify if necessary.

**Planned Development Residential (PD-R) was addressed.
Planned Development Commercial (PD-C) will be addressed at a later date.**

ADJOURN

MOTION: Commissioner Ro Wilkinson made a motion to adjourn.

SECONDED: Commissioner Diane Adams seconded the motion.

AYES (5)

Commissioner Ro Wilkinson

Commissioner Don Buehner

Chair Ross Taylor

Commissioner Nathan Fisher

Commissioner Diane Adams

NAYS(0)

Meeting adjourned at 5:56 pm.